

# ORDINANCE 1549

## **AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, PROVIDING FOR THE ANNEXATION OF CERTAIN UNINCORPORATED PROPERTY GENERALLY LOCATED SOUTH OF THE CITY LIMITS AND IDENTIFIED AS THE SALISH AVENUE SE EXTENSION ANNEXATION; AMENDING THE COMPREHENSIVE PLAN MAP AND OFFICIAL ZONING MAP CONSISTENT WITH THE ANNEXATION; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE**

**WHEREAS**, owners of certain property situated within the area herein proposed for annexation, as legally described in attached exhibit “A” and generally referred to as the Salish Avenue SE Extension Annexation boundary (“Proposed Annexation Area”), filed a notice of intent to commence annexation proceedings pursuant to Chapter 35A.14 RCW; and

**WHEREAS**, on June 17, 2014, the City Council participated in a meeting with the initiating parties, accepting the petitions of interest from the initiating parties, and authorized circulation of a formal annexation petition via passage of Resolution No. 1661; and

**WHEREAS**, the City subsequently received an annexation petition from property owners representing in excess of 60% of the total assessed valuation for general taxation of the property located within the Proposed Annexation Area and requesting annexation to the City of North Bend; and

**WHEREAS**, the King County Assessor has certified that the petition contains the signatures of property owners exceeding 60% of the total assessed valuation for general taxation of the property located within the Proposed Annexation Area as required by state law; and

**WHEREAS**, on May 6, 2014, the City Council approved City Ordinance No. 1526 adopting the City’s 2014 Comprehensive Plan as a pre-annexation comprehensive plan for the UGA; and

**WHEREAS**, the Proposed Annexation Area is located within the City’s Urban Growth Area; and

**WHEREAS**, after determining that the petition met all applicable requirements set forth in Chapter 35A.14 RCW, and after giving notice as required by law, the City Council

held a public hearing on November 18, 2014 to take public comment on and to consider the annexation petition and adopted Resolution 1669 declaring its intent to annex; and

**WHEREAS**, on January 20, 2015 the City submitted to the Washington State Boundary Review Board for King County (the “Boundary Review Board”) the Notice of Intent to annex the properties which comprise all of the properties located within the Proposed Annexation Area; and

**WHEREAS**, the Boundary Review Board completed its evaluation of the Notice of Intent pursuant to Chapter 36.93 RCW and approved the request for annexation subject to the conditions specified therein; and

**WHEREAS**, the City Council having duly considered the annexation petition and public comments regarding the same, has determined that the health, welfare and safety of the people of the City of North Bend and the petitioners will be best served if the Proposed Annexation Area is annexed to and becomes part of the City of North Bend;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. Annexation Authorized:** Upon the effective date of the annexation, the real property legally described and depicted in Exhibit “A”, attached hereto and incorporated by reference as though fully set forth herein, is and shall be hereby annexed to the City of North Bend to be included within the corporate limits of the City of North Bend and subject to all laws, rules, regulations and ordinances of the City of North Bend.

**Section 2. Comprehensive Plan Amended:** The Urban Growth Area Boundary of the Comprehensive Plan and associated Figures and Maps shall be amended to reflect incorporation of the real property described in Exhibit “A”.

**Section 3. Zoning Map Amended:** The Official Zoning Map as designated pursuant to Section 18.08.010 of the North Bend Municipal Code shall be amended to reflect incorporation of the real property described in Exhibit “A”.

**Section 4. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 5. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND,  
WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 17<sup>TH</sup> DAY OF  
MARCH, 2015.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Kenneth G. Hearing, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: March 25, 2015

Effective: March 30, 2015

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**Susie Oppedal, City Clerk**

Exhibit A- Legal Description and Depiction of Annexation Areas